

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4066 of 2017

1. Smt. Indrani Bai Chandrakar W/o Late Shri Kaushal Chandrakar, Aged About 50 Years R/o Newai Basti, Bhilai, District Durg, Chhattisgarh.
2. Smt. Usha Joshi W/o Late Shri Johan Lal Joshi, Aged About 49 Years R/o Mother Teresa Ward No. 21, Bhilai, District Durg, Chhattisgarh.
3. Smt. Dulari Bai W/o Late Shri Videshi, Aged About 48 Years Ward No. 16, Kohka Kurud, Bhilai, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Adminsitration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Directorate, Department Of Urban Adminsitration And Development, Through Its Director, Department Of Urban Administration And Dvelopment, Indiravati Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
3. Municipal Corporation, Bhilai, Through Commissioner, Municipal Corporation, Bhilai, District Durg, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Sourabh Sharma, Advocate.

For State : Mr. Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

23/11/2017

Heard.

1. Learned counsel for the petitioners' submits that the petitioners' are contingency employees and still continuing in service. It is submitted that in view of the decision of the Division Bench in the case of **Lakhanram Sahu and others Vs. State of Chhattisgarh and others** in Writ Appeal No.

281 of 2013 and batch of cases vide order dated 26-02-2015. the services rendered by the deceased employee as temporary employee to the date of regularization also entitled to be counted for the purpose of pension under pension rules of 1979.

2. Learned counsel for the respondent/s would submit that though there is quarrel in certain legal position, for entitlement to pension appropriate verification of facts would be necessary and on the basis of the same petitioners claim for pension shall be examined and orders would be passed.

3. On the submissions made, the petition is disposed off with the direction to examine the petitioner's entitlement for pension in accordance with the decision in the case of **Lakhanram Sahu and others Vs. State of Chhattisgarh and others** and extend the benefit to petitioner. The exercise should be completed within a period of 3 months.

Sd/-

(Manindra Mohan Shrivastava)

Judge